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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *03 June 2009*.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-14 and 16-20* is/are rejected.

7) ☒ Claim(s) *15* is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1.   Applicant's amendment, filed on 6/03/2009, has been entered and carefully

considered. Claim 20 is newly added. Accordingly, claim 1-20 are pending.

2.   In light of Applicant's amendment, rejections of claims 3 and 19 under 35 U.S.C.

112, first paragraph, are withdrawn.

3.   In light of Applicant's amendment, rejections of claims 4, 8, 15 and 17 under 35

U.S.C. 112, second paragraph, are withdrawn.

4.   The Examiner has withdrawn the objection to claim 12 under minor informalities

Claim Objections

5.   Claim 4 is objected to because of the following informalities: claim 4 recites

"gps", an acronym that should be capitalized. Appropriate correction is required.

6.   Claim 17 is objected to because of the following informalities: claim 17, in line 3,

improperly uses the period sign "." within the body of the claim. Appropriate correction is

required.

Claim Rejections - 35 USC § 112

7.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

8.   **Claim 6** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. Claim 6 recites "*translating information and the messages the*

transmission with a meaningful event to be used for tracking and monitoring of freight

assets". Such language is improperly constructed. The Examiner submits such defect

renders the claim indefinite.

Claim Rejections - 35 USC § 103

9.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

7.   **Claims 1-2, 4-8, 11, 14, 16-17** and **19-20** are rejected under 35 U.S.C. 103(a) as

being unpatentable over US 6865516 B1 Donald George Richardson (hereinafter

Richardson) in view of US 20020111819 A1 Li et al. (hereinafter Li).

Regarding **claim 1**(Currently Amended), Richardson discloses *a freight management*

method, comprising

- *sensing a condition* (e.g. parameters of consignments) *on a freight asset* (see at

  least column 2 lines 36-40)*;*

- *transmitting the information concerning the sensed condition over a wireless*

  system (e.g. via GSM) *to a monitor system* (e.g. central database 11 as shown in

  Fig. 1) *in one format* (see at least column 3 lines 30-51)*;*

- *in the monitor system* (e.g. central database 11) *translating* (the central database

  11 sits between two distinct signal paths explained below, therefore is required to

  translate between different signal formats, as explained below)*the information*

  concerning the sensed condition from the one format (e.g. a format conforming to

  the GSM standard used by device 13, as shown in Fig.1, for transmitting sensed

  information to central database 11) *into a second format* (a format conforming to

secure internet access receivable by a user equipment such as a consignor's

laptop as shown in Fig.1, see at least column 3 lines 30-51 and column 4 lines

18-42);

- *transmitting the information concerning the sensed condition from the monitor*

   system in the second format to a user capable of receiving in the second format

   (see above explanation);

- *the step of sensing the condition on the freight asset includes monitoring the*

   sensed condition automatically and in real time (see at least column 5 lines 60-

   67);

- *the step of transmitting the information concerning the sensed condition to the*

   monitor system includes automatically responding to the condition in real time

   (see at least column 4 lines 55-62, column 5 lines 60-67 and column 6 lines 1-5);

Richardson does not specifically disclose the limitation *the step of translating the*

information concerning the sensed condition from the first format to the second format

including converting open system messages into existing industry standard freight

messages. However, in an analogous field of endeavor, Li discloses in an data

collection system used in supply chain tracking and monitoring, wherein an existing

industry standard format (XML format) is used for communication between a data

originator (e.g. site server) and a data consumer (e.g. data center) (see at least Li

paragraph [0004], [0034] and [0136]). It would have been obvious to a person of

ordinary skill in the art at the time of the invention to modify Richardson in view of Li, by

formatting (i.e. converting) the messages transmitted between system components into

a industrial standard message such as a XML formatted message, in order to efficiently

transmit data as discussed by Li (see at least Li paragraph [0034], where Li points out

the advantages of XML format e.g. efficient and readily manipulated).

Richardson further discloses *whereby the freight message* (e.g. information as shown in

Fig. 4) *provides immediate context for the user* (see at least Fig. 4 and column 5 lines

54-59).

Regarding **claim 2**, Richardson as modified by Li discloses the limitations as shown in

the rejection of **claim 1**. The system according to Richardson is meant to serve a

plurality of users (e.g. consignors), this is evidenced by at least the fact that each

consignor is provided with a password (see at least column 4 lines 17-24) such that the

consignor can securely use the services provided by the system, and in order to

differentiate the consignor from other consignor. Therefore, the system is according to

Richardson servers a plurality of users (e.g. first, second, third and etc.), each having

shipment (s) to monitor respective condition thereof and to track respective locations of,

and etc. Therefore the modification of Richardson by Li discloses *said freight asset*

being a first freight asset, said user being a first user, said condition being a first

condition; automatically sensing a second condition on a plurality second freight asset

associated with a second user in real time; automatically transmitting information

concerning the second sensed condition over the wireless system to the monitor system

in time an open system message format; translating the information concerning second

conditions from respective open system messages into an industry standard freight

message format; transmitting the information concerning the second sensed condition

from the monitor system to said second user the format of industry standard freight

messages; said first and second freight asset together constituting a plurality of freight

assets; said first and second conditions constituting a plurality of conditions, and said

first and second users constituting a plurality of users.

Richardson further discloses *said step of transmitting the information concerning the*

plurality of sensed conditions over a wireless system to the monitor system includes

responding to trigger conditions derived from one of user designated locations,

destination areas, and freight operational settings and conditions on the plurality of

freight assets (see at least column 2 lines 58-67 and column 6 lines 1-5).

Regarding **claim 4** (currently amended), Richardson as modified by Li discloses the

limitations as shown in the rejection of **claim 1**. Richardson as modified by Li further

discloses:

- *a translator* (e.g. comparator, see at least claim 9) *in the monitor system*

  compares information transmitted by user predetermined conditions specified

  within industry standard freight message (see the rejection of claim 1 for industry

  standard freight message) *format* (see at least column 3 lines 52 – 63, where

  Richardson discloses a standard freight shipment message, with certain content

  and format, comprising at least temperature tolerance ranges) *with*

  corresponding information concerning the condition transmitted via wireless

communications from a remote monitoring device attached to a freight asset (see
at least column 2 lines 62-67 and column 3 lines 52 – 63);

- *the specified information containing one of a user designated location, a
  commodity's pre-determined temperature set point setting, an arrival notification,
  a departure notification, attachment of auxiliary power equipment, in the format a
  user within the freight shipment documentation* (see at least column 2 lines 53-67
  and column 3 lines 52-62, where Richardson discloses at least temperature set
  point setting);

- *causing said translator to reconcile events derived from wireless communications
  directly in the format contained in the freight message of gps coordinates*(see at
  least column 3 lines 43-51) *to a "named area or location" in a standard shipping
  document, thereby allowing a specific sensor reading to be directly applied
  through the entire monitoring, communication and network path to create
  notifications that the documented shipment condition is initiated, satisfied or
  terminated* (see at least column 2 lines 53-67 and column 3 lines 52-62, column
  4 lines 66-67 column 5 lines 1-10 and column 6 lines 1-5).

Regarding **claim 5** (currently amended), Richardson as modified by Li discloses the
limitations as shown in the rejection of **claim 1** and **2**. Richardson as modified by Li
further discloses:

- *automatically transmitting the information concerning the sensed conditions over
  a wireless system to the monitor system by extracting relevant information from*

standard freight shipment messages and delivering predetermined conditions via the use of a translator (see at least column 2 lines 36-44 and 58-67).

Regarding **claim 6**(currently amended), Richardson as modified by Li discloses the limitations as shown in the rejection of **claim 1** and **2**. Richardson as modified by Li further discloses:

- *transmitting the information concerning the sensed conditions over a wireless system to a the monitor system includes wireless notification transmissions events in real-time from a freight asset, based on pre-determined conditions identified in a standard freight message to the monitor, and, translating* (see at least column 3 lines 52-62, where Richardson discloses delivering predetermined conditions via a temperature/location plot, which translates raw numerical data in to graphical data, there a translation process) *information and the messages the transmission with a meaningful event to be used for tracking and monitoring of freight assets* (see at least column 4 lines 55-65, column 5 lines 60-67 and column 6 lines 1-5).

Regarding **claim 7**(currently amended), Richardson as modified by Li discloses the limitations as shown in the rejection of **claim 1** and **2**. Richardson as modified by Li further discloses:

- *transmitting the information concerning the sensed condition over a wireless transmission system to a monitor system includes wireless notification events in real-time in real-time from a freight asset, based on pre-determined conditions*

identified in a standard freight message, and, by transmission to and from a translator in the monitor system, associating the transmission with a meaningful event to be used for tracking and monitoring of a commodity transported in a freight shipment (see at least column 4 lines 55-65, column 5 lines 60-67 and column 6 lines 1-5).

Regarding **claim 8**(currently amended), Richardson as modified by Li discloses the limitations as shown in the rejection of **claim 1**. Richardson as modified by Li further discloses: *in said monitor system evaluating information about freight shipments, contained within standard freight messages, including one of terminal operations and intermodal ramp activities and related activities within the sensors*(see at least column 5 lines 60-67 column 6 lines 1-5, where Richardson discloses the shipment going through different mode of transportation and different warehouse, therefore intermodal), *from said plurality of freight assets automatically triggering and communicating in real time via a wireless system status notifications from entry of the sensor into an area governed by GPS coordinates on an intelligent device*(see at least column 3 lines 52-62, and column 4 lines 55-62, column 5 lines 60-67), *pre-determined by designated locations in the users's systems, corresponding to the users' designated location, delivered in the second format to the user's freight system in real-time*(see at least column 5 lines 60-67 and column 6 lines 1-2, where the consignor is sent the information in real-time comprising the location and the time of the freight asset, therefore arrival and departure freight message).

Regarding **claim 11** (previously amended), Richardson as modified by Li discloses the

limitations as shown in the rejection of **claim 1**. Richardson as modified by Li further

discloses:

- *evaluating messages initiated by a sensor at one of terminal operations and*

  intermodal Ramp Activity (see at least column 5 lines 60-67 column 6 lines 1-5,

  where Richardson discloses the shipment going through different mode of

  transportation i.e. intermodal and different warehouses, i.e. terminals)

- *and freight asset location messages and related status messages, triggered by a*

  change in a critical condition to allow immediate (e.g. real-time, see at least

  column 4 lines 55-65) exception (i.e. distribution failure) reporting in one of a

  monitoring system or a user system (see at least column 3 lines 58-62 column 5

  lines 1-5).

Regarding **claim 14** (currently amended), Richardson as modified by Li discloses the

limitations as shown in the rejection of **claim 1**. Richardson further discloses

automatically initiating a shipment status message in standard shipment formats (see at

least column 3 lines 58-62, where Richardson discloses a standard shipment formats),

using real-time (see at least column 4 lines 55-65) *information from a sensor* (e.g.

sender /tracker) *transmitting to a translator in the monitor system and from the translator*

wirelessly (see at least column 3 lines 39-51).

Regarding **claim 16** (currently amended), Richardson as modified by Li discloses the

limitations as shown in the rejection of claim 1. Richardson further discloses: *triggering*

onto a sensor events which correspond terminal operations and intermodal ramp (see at

least column 5 lines 60-67 column 6 lines 1-5, where Richardson discloses the

shipment going through different mode of transportation and different warehouse,

therefore intermodal) *activity and related standard freight messages' relevant status*

information (see at least column 6 lines 1-5, where Richardson discloses a event

triggered by some distribution failure such as temperature abuse) *to permit a direct*

linkage between the users of standard freight information trigger events to a translator in

the monitor system and corresponding trigger events managed by a sensor (the

consignor is able to directly see the sensor information in real-time, therefore a direct

linkage, see at least column 4 lines 55-65).

Regarding **claim 17** (currently amended), Richardson as modified by Li discloses the

limitations as shown in the rejection of **claim 1** and **2**. Richardson further discloses:

establishing pre-determined conditions and trigger events (see at least column 3 lines

53-58, where the temperature tolerance range is specified by the consigner) *on a fleet*

of freight assets associated with a user, and establishing other pre-determined

conditions and trigger events on an entirely separate fleet associated with another

user(see at least column 4 lines 18-21, where Richardson discloses each consignor

accesses the system with a password to access the system via the consigner's

homepage, therefore another user i.e. will have another password to access his/her

own homepage to put in the database the pre-determined conditions as disclose in

column 3 lines 53-58). *on the basis of information in the standard freight shipment*

messages transmitted to a translator in the monitor system and from the translator to

the sensors, including one of lading, waybills, status messages, and location messages

(see at least column 3 lines 53-58 and Figure 3, where the information regarding the shipment/freight's origin, destination, and properties are described, therefore a waybill).

Regarding **claim 19** (previously amended), Richardson as modified by Li discloses the limitations as shown in the rejection of claim 1. Richardson further discloses mounting intelligent wireless devices on (fastened to) freight assets (see at least column 3 lines 30-35). Richardson further discloses the integrating intelligent wireless devices (e.g. sender/tracker) communicate relevant shipment condition in standard shipment messages (see at least column 2 lines 39-41column 3 lines 6-9 and lines 58-62). Richardson does not specifically disclose these standard shipment messages are communicated in the same format via a translator. However, in a related field of endeavor, Li discloses formatting (i.e. translating) input data into a XML format to prepare for transmission (thereby communicating information in the same format i.e. XML that both the transmitter and receiver can parse, see at least Li paragraph [0004], [0034], [0136]). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Richardson in view of Li in order to efficiently transmit data as discussed by Li (see at least Li paragraph [0034])

Regarding **claim 20** (New), Richardson discloses *a system for managing freight, comprising:*

- *a wireless monitor system having a data base (e.g. the central database 11 as shown in Fig. 1);*

- *a plurality* (although not explicitly shown a plurality, the system according to Richardson is meant to serve a plurality of users e.g. consignors, this is evidenced by at least the fact that each consignor is provided with a password (see at least column 4 lines 17-24) such that the consignor can securely use the services provided by the system, and in order to differentiate the consignor from other consignor) *of user two-way-communicating systems(e.g. the consignor access equipment e.g. laptop as shown in Fig. 1) wirelessly coupled to said wireless monitor system*(see at least Fig. 1 and see at least column 3 lines 30-51 and column 4 lines 18-42);

- *a plurality of groups of two-way-communicating freight asset devices* (e.g. sender/trackers) *each wirelessly and automatically coupled to said wireless monitor system and each group automatically associated in said data base with one of said user systems on a real time basis*(see at least column 3 lines 30-51 and column 5 lines 65-67);

Richardson does not specifically disclose the limitation said monitor system including a standard-freight-message to-and-from open-system-message translator coupled to the data base. However, in an analogous field of endeavor, Li discloses in an data collection system used in supply chain tracking and monitoring, wherein an existing industry standard format (XML format) is used for communication between a data originator (e.g. site server) and a data consumer (e.g. data center) (see at least Li paragraph [0004], [0034] and [0136]). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Richardson in view of Li, by

formatting (i.e. converting) the messages transmitted between system components into

a industrial standard message such as a XML formatted message (thereby requiring a

formatter or translator), in order to efficiently transmit data as discussed by Li (see at

least Li paragraph [0034], where Li points out the advantages of XML format e.g.

efficient and readily manipulated).

8.　　　**Claims 3, 9** and **10** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Richardson in view of Li, and further in view of US 5999091 A Larry C. Wortham

(hereinafter Wortham).

Regarding **claim 3** (currently amended), Richardson as modified by Li discloses the

limitations as shown in the rejection of **claim 1** and **2**. Richardson as modified by Li

further discloses:

- *transmitting to said monitor system from the respective plurality of users* (see the

  rejection of claim 2 where a plurality of users is addressed) *industry standard*

  freight messages (see the rejection of claim 1 for industry standard freight

  messages) *of respective plurality of predetermined conditions for respective ones*

  of said plurality of freight assets (see at least column 2 lines 61-67 and column 6

  lines 1-5).*;*

- *in the monitor system comparing of the information concerning the plurality of*

  sensed conditions transmitted over the wireless system with respective ones of a

  plurality of predetermined conditions specified within standard freight shipment

messages, to notify the plurality of users of respective disparities with the

predetermined conditions and provide status updates in the standard freight

shipment message of the plurality of users (see at least column 2 lines 62-67 and

column 3 lines 52 – 63, where Richardson discloses comparing , in the database,

sensed parameters against set point values)*.*

Richardson is silent as to the limitation *and automatically transmitting via the wireless*

system respective change commands to the actual condition on the plurality of freight

assets to conform to the condition specified in the respective user's standard freight

shipment message. However, in a related art, Wortham discloses changing the actual

condition on the asset to a specified condition (see at least Wortham column 4 lines 14-

28 and column 9 lines 10-19). It would have been obvious to a person of ordinary skill

in the art to modify Richardson and Li in view of Wortham to adjust the asset condition

to a specified condition "such sensitive cargo is not ruined, harmed, destroyed, or

otherwise damaged" (see at least Wortham column 4 lines 21-26).

Regarding **claim 9**(currently amended), Richardson as modified by Li discloses the

limitations as shown in the rejection of **claim 1** and **2**. Richardson as modified by Li

further discloses: *automatically transmitting specific information contained in standard*

freight messages to a translator in the monitor system and from the translator to

automatically evaluate prescribed and pre-determined shipment conditions to actual

shipment conditions communicated by wireless communications, including a prescribed

temperature set point setting for a commodity identified in the standard freight

messages of transport equipment (see at least column 2 lines 61-67, column 3 lines 52-

62). Richardson does not disclose the transport equipment as a refrigerated transport equipment. However, in a related art, Wortham discloses a refrigerated transport equipment (see at least Wortham column 1 lines 16-25, where Wortham discloses a trailer having refrigeration units). It would have been obvious to a person of ordinary skill in the art to modify Richardson and Li in view of Wortham to use refrigerated transport equipment to cool the transported asset "such that sensitive cargo is not ruined, harmed, destroyed, or otherwise damaged" (see at least Wortham column 4 lines 21-26).

Regarding **claim 10**(currently amended), Richardson as modified by Li discloses the limitations as shown in the rejection of **claim 1** and **2**. Richardson does not specifically teach the limitation *automatically comparing of weight of a load of a freight asset in one of the monitoring systems and the weight specified by a user by comparison in a translator in the monitor system.* However, in a related art, Wortham teaches a weight sensor that is used to monitor load weight and trigger alarms (upon detection of alarm events, see at least Wortham column 8 lines 58-67 column 9 lines 1-9). It would have been obvious to a person of ordinary skill in the art to modify Richardson and Li in view Wortham in order to efficiently monitor and track the transported assets.

9.   **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Richardson in view of Li, and further in view of Wortham and US 20030069648 A1 Douglas et al. (hereinafter Douglas) and Applicant admitted prior art.

Regarding **claim 12** (currently amended), Richardson as modified by Li discloses the limitations as shown in the rejection of claim 1. Richardson further discloses: *evaluating*

pre-determined conditional information contained in standard freight messages,

including one of bills of lading and waybills (see at least column 3 lines 53-58 and

Figure 3, where the information regarding the shipment/freight's origin, destination, and

properties are described, therefore a waybill), *to compare pre-determined shipment*

conditions, including a set point temperature of a commodity within a freight asset (see

at least column 2 lines 62-67).

Richardson discloses an intelligent device (i.e. tracker/sender see at least column 3

lines 39-43) and a database containing a set point temperature (see at least column 2

lines 62-67). Richardson is however silent as to the limitation *automatically sending*

commands to an intelligent device including the sensor on the freight asset *to change*

the condition, including the set point temperature, to be compliant with the pre-

determined condition in the standard freight message appropriate for the commodity. In

a related art, Wortham discloses changing the actual condition on the asset to a

specified condition (see at least Wortham column 4 lines 14-28 and column 9 lines 10-

19). It would have been obvious to a person of ordinary skill in the art to modify

Richardson and Li in view of Wortham to change the freight asset actual condition to a

specified condition "such sensitive cargo is not ruined." (See at least Wortham column 4

lines 14-28) However, Richardson, Li and Wortham do not disclose sending commands

including the set point temperature to the intelligent device. In a related art, Douglas

teaches send certain parameters (e.g. temperature set point) to a remote point to

control the temperature in the remote end (see at least Douglas paragraph [0110]). It

would have been obvious to a person of ordinary skill in the art to modify Richardson

and Li in view of Wortham, and further in view of Douglas to send commands to an on-freight intelligent device a temperature set-point in order to "centralize the flow of the information about the assets to optimized the dispatch, control ... of assets." (See at least Douglas paragraph [0032]).

Richardson further discloses a standard freight status message format (see at least column 3 lines 58-62) for communicating to the user the sensor reading. Richardson does not disclose the limitation the *said sensor sending a confirmation notification that the condition, such as the set point temperature, is changed, and the confirmation of the actual conditional change is incorporated into a standard freight status message in the format of the user's system to assure compliance to the predetermined condition.* However, the Applicant admits (by acquiescing to the Official Notice taken in the previous Office Action) that confirming a change in control parameter such as set point temperature is commonly known in the art. Therefore, it is obvious to a person of ordinary skill in the art to modify Richardson, Li, Wortham and Douglas to have the sensor send a confirmation after the change of control parameters.

10.   **Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Richardson in view of Li, and further in view of US 20030179073 A1 Ohanes Ghazarian (hereinafter Ghazarian)

Regarding **claim 13**, Richardson as modified by Li discloses the limitations as shown in the rejection of **claim 1**. Richardson is silent as to the limitations of claim 13. However, Ghazarian teaches a door state changing system applied to trailer, more specifically the system unlocks the trailer door according the location (as detected by a GPS unit) of the

trailer (see at least Ghazarian abstract). It would have been obvious to a person of

ordinary skill in art to modify Ghazarian's invention to lock the door according the

location of trailer (e.g. when it's no longer in the warehouse), and combine the

modification of Ghazarian to Richardson and Li in order to enhance the safety of the

transported asset.

11.   **Claims 18** is rejected under 35 U.S.C. 103(a) as being unpatentable over US

Richardson in view of Li, and further in view of *DATA ELEMENTS VERSION 5 PROOF*

X12JTV Truck, VanTW Trailer, Refrigerated (hereinafter Data Element).

Regarding **claim 18**, Richardson as modified by Li discloses the limitations as shown in

the rejection of claim 1. Richardson further discloses *wireless intelligence including a*

sensor on a freight asset to evaluate status conditions that automatically trigger

transmissions (see at least column 2 lines 39-41, column 3 lines 4-6 and 30-35, column

5 lines 65-67, column 6 lines 1-5). Richardson does not disclose that those

transmissions are translated into EDI and XML-based standard messages that including

EDI 322. However, in a related art, Li discloses using EDI standard for data collection

(see at least Li paragraph [0004]), and furthermore using XML-formatted messages for

data transmission (see at least Li paragraph [0034], [0136]). It would have been obvious

to a person of ordinary skill in the art at the time of the invention to modify Richardson in

view of Li in order to efficiently transmit data as discussed by Li (see at least Li

paragraph [0034]).

Furthermore, Richardson and Li do not disclose specifically using EDI 322. However,

Data Element discloses EDI 322 as a known industry standard used for data collection

(see at least Data Element page 94). It would have been obvious to a person of ordinary

skill in the art to use EDI 322 because it is specifically designates Terminal Operations

and Intermodal Ramp Activity, as disclosed by Data Element on page 94.

Allowable Subject Matter

12.   **Claim 15** is objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the

base claim and any intervening claims.

Response to Arguments

13.   Applicant's arguments filed on 6/3/09 have been considered but are moot in view

of the new ground(s) of rejection.

Conclusion

14.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

15.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to YU (Andy) GU whose telephone number is (571)270-

7233. The examiner can normally be reached on Mon-Thur 8:30-5:30.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lester G. Kincaid can be reached on 5712727922. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/YU (Andy) GU/
Examiner, Art Unit 2617

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617